

Sub C1  
B2  
23. (Twice Amended) A composition of modified release comprising a mixture of the pellets of claim 25 which have (i) a quick release profile and (ii) a slow release profile in a ratio between 10:90 and 90:10 by weight.

Sub C2  
B3  
25. (Amended) A pellet comprising an acid labile benzimidazole compound, wherein the pellet comprises:

- (a) an inert nucleus; *doesn't exclude layer in between*
- (b) a layer disposed over said inert nucleus (a), comprising an acid labile benzimidazole compound, an inert, non-alkaline polymer soluble in water and one or more pharmaceutically acceptable inert excipients;
- (c) one or more intermediate layers that comprise:
  - (i) an inert, non-alkaline coating, formed of an inert, non-alkaline polymer soluble in water and one or more pharmaceutically acceptable inert excipients; and
  - (ii) a system of modified release that comprises an inert, non-alkaline polymer soluble in water and an inert polymer insoluble in water;said intermediate layer(s) (c) disposed over said layer (b) that covers the inert nucleus; and
- (d) an external layer comprising an enteric coating disposed over said intermediate layer(s) (c).

#### Remarks

The Final Office Action of April 23, 2002 has been carefully considered and reconsideration of the application as amended is respectfully requested.

Claims 2-25 pending in the application. Claims 2-25 were rejected. Claims 21-23 and 25 have been amended. Support for the amendments can be found in general throughout the specification. Support for claims 21 and 22 can be found on page 8, line 25 to page 9, line 2 of the specification of the present invention wherein the pellets of the present invention are described as having a different release profile depending on the amount of the insoluble polymer with respect to the amount of soluble polymer. Support for claim 23 which defines that the pellets with a quick release profile and the pellets with a slow release profile are in a